

SALTZMAN MUGAN DUSHOFF
JOEL SCHWARZ
Nevada Bar No. 009181
E-Mail: jschwarz@nvbusinesslaw.com
1835 Village Center Circle
Las Vegas, Nevada 89134
Telephone: (702) 405-8500
Facsimile: (702) 405-8501

*Counsel for Defendants and Nominal
Defendant*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

* * *

JENNIFER HAMMOND AND DANA
HEPWORTH, Derivatively on Behalf of
CELSIUS HOLDINGS, INC.,

Plaintiffs,

v.

JOHN FIELDLY, NICHOLAS CASTALDO,
CAROLINE LEVY, HAL KRAVITZ,
ALEXANDRE RUBERTI, CHERYL MILLER,
DAMON DESANTIS, JOYCE RUSSELL,
JAMES LEE, and EDWIN NEGRON-
CARBALLO,

Defendants,

and

CELSIUS HOLDINGS, INC.,

Nominal Defendant.

Case No. 2:24-cv-00711-JAD-NJK

ORDER DISMISSING CASE

ECF No. 22

WHEREAS, the above-captioned litigation (the “Derivative Litigation”) alleges facts and asserts claims that are also at issue in two other pending derivative actions, styled, respectively, *Doreen R. Lampert v. John Fieldly, et al.*, Case No. 3:23-cv-00017-ART-CSD (D. Nev.) (the “*Lampert Action*”) and *Ingrao v. John Fieldly, et al.*, Case No. A-23-

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1 873736-C Dept. 6 (Clark Cnty., Nev.) (the “*Ingrao* Action” and, collectively, with the
2 Derivative Litigation and the *Lampert* Action, the “Derivative Actions”);

3 **WHEREAS**, on December 3, 2024, the parties to this action filed a Joint Status
4 Report which reported (i) that the parties had executed a Stipulation and Agreement of
5 Settlement, setting out the terms of a global settlement of the Derivative Actions (the
6 “Settlement”); (ii) that the plaintiffs in the *Ingrao* Action intended to file their Motion for
7 Preliminary Approval in the District Court, Clark County, Nevada, on or before
8 December 13, 2024; and (ii) that, if the Settlement was approved in the *Ingrao* Action as
9 fair, reasonable, and adequate and in the best interests of Nominal Defendant Celsius
10 Holdings, Inc., the parties would jointly request that this Court enter an order dismissing
11 this action, Docket No. 21;

12 **WHEREAS**, on April 3, 2025, the Court in the *Ingrao* Action entered a Notice of
13 Entry and Final Order and Judgment finding the settlement of the Derivative Actions was
14 fair, reasonable, adequate, and in the best interest of Celsius;

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1 **NOW, THEREFORE,**

2 1. This case is DISMISSED with prejudice.

3 DATED this 8th day of April, 2025.

4 Approved as to form by:

Prepared by:

5 **ALDRICH LAW FIRM, LTD.**

JOHN P. ALDRICH, ESQ.

6 Nevada Bar No. 6877

Catherine Hernandez, Esq.

7 Nevada Bar No. 8410

7866 West Sahara Avenue

8 Las Vegas, NV 89117

Telephone: (702) 853-5490

9 Facsimile: (702) 227-1975

10 **RIGRODSKY LAW, P.A.**

Seth D. Rigrodsky

11 Timothy J. MacFall

825 East Gate Blvd., Suite 300

12 Garden City, NY 11530

Telephone: (516) 683-3516

13 Facsimile: (302) 654-7530

sdr@rl-legal.com

14 tjm@rl-legal.com

15 **GRABAR LAW OFFICE**

Joshua H. Grabar

16 One Liberty Place

1650 Market Street, Suite 3600

17 Philadelphia, PA 19103

Telephone: 267-507-6085

18 Email: jgrabar@grabarlaw.com

19 *Counsel for Plaintiffs*

SALTZMAN MUGAN DUSHOFF

JOEL SCHWARZ, ESQ.

Nevada Bar No. 009181

1835 Village Center Circle

Las Vegas, NV 89134

ALSTON & BIRD

JOSEPH G. TULLY, ESQ.

(Admitted Pro Hac Vice)

90 Park Avenue

New York, NY 10016

ELIZABETH GINGOLD CLARK, ESQ.

(Admitted Pro Hac Vice)

One Atlantic Center

1201 West Peachtree Street, Suite 4900

Atlanta, Georgia 30309

*Counsel for Defendants and Nominal
Defendant*

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21 **ORDER**

22 Based on the parties' joint motion for dismissal in light of settlement [ECF No.
23 22] and with good cause appearing, IT IS HEREBY ORDERED that THIS ACTION IS
24 DISMISSED with prejudice, each side to bear its own fees and costs. The Clerk of Court
is directed to CLOSE THIS CASE.

25  5/20/25
26 UNITED STATES DISTRICT JUDGE

27
28 *Jennifer Hammond and Dana Hepworth, etc. v. John Fieldly, et al./Case No. 2:24-cv-00711-JAD-NJK*
[Proposed] Order